

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: FLORIDA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

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Enforcement of Compliance for Nursing Facilities

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Denial of Payment for New Admissions:: Describe the criteria (as required at Section 1919(h)(2)(A)) for applying the remedy.

       Specified Remedy

(Will use the criteria and notice requirements specified in the regulation.)

  X   Alternative Remedy

(Describe the criteria and demonstrate that the alternative remedy is as effective in deterring non-compliance. Notice requirements are as specified in the regulations.)

ALTERNATIVE REMEDY: Moratorium on Admissions:

The Medicaid agency established a Moratorium on Admissions in place of Denial of Payment for New Admissions. Description: A moratorium on admissions is a ban placed by the Agency prohibiting the facility from admitting any new residents, regardless of the source of payment.

General Requirements/Assurances:

- The Medicaid agency will use the timing and notice requirements specified in the regulation for Denial of Payment for New Admissions.
- The alternative remedy satisfies the statutory intent of the specified remedy. By placing a ban on new admissions, the facility is prevented from obtaining reimbursement for new admissions.
- The alternative remedy will be applied whenever Denial of Payment is the specified remedy.
- The alternative remedy is as effective as the specified remedy because the outcome is the same, i.e., the facility receives no reimbursement for new admissions.
- Factors considered in selecting the remedy are those specified in the regulation for Denial of Payment for New Admissions.
- The remedy is established in State law at s.400.121(4)(a) and (b), Florida Statutes.
- The State's categorization of deficiencies results in the same scope and harm assignment.

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